APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,907	08/26/2003	William Robert Haas	100201028-1	5759

22879   7590   07/30/2007
HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER
MAMO, ELIAS

ART UNIT	PAPER NUMBER
2184	

MAIL DATE	DELIVERY MODE
07/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/649,907	HAAS ET AL.
	Examiner	Art Unit
	Elias Mamo	2184

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _26 August 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-26_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _26 August 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _08/26/20003_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 23 and 24 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim 23 appears to be dependent to claim 23 – to it self. For the purpose of examining the current application the examiner construed claim 23 dependent on claim 22. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 9-17 and 22-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Yokoyama (US 2002/0016875), herein after referred as Yokoyama '875.

Referring to **claim 1,** Yokoyama '875 teach, as claimed, a data management system (i.e.- serially connected electronic apparatus, page 1, paragraph 5) comprising: a processor (page 1, paragraph 6, line 14); and first and second ports (i.e.-first input output terminal 3 and the second input output terminal 5, page 2, paragraph 23, lines 1-2); wherein the processor is programmed to transmit a first controller handshake signal through said first data port (i.e.-processor provides first control signal thru output terminal, page 1, paragraph 6, lines 20-22), and inhibit data pass-through at said second data port in connection with said first controller handshake signal

transmission (i.e.-determines if second control signal has been input in response to the control signal and controls the change-over switch, page 1, paragraph 6, lines 22-26)

As to **claim 2,** Yokoyama '875 teach the system of claim 1, wherein said processor is programmed to transmit a second controller handshake signal (i.e.-the electronic apparatus provides a new control signal, page 1, paragraph 9, lines 6-8) through said second data port (see fig.1, 5a and 5b) to establish communication with a controller if said first handshake signal does not result in communication with a controller (i.e.-if the result of the determination in step S103 is negative, page 2, paragraph 28, lines 4-5), and inhibit data pass-through at said first data port in connection with said second controller handshake signal transmission (i.e.-switch is switched to connect ports 3a and 9a and establishes connection to second input output terminal 5a, page 2, paragraph 28, lines 6-8, and see fig. 1).

As to **claim 3,** Yokoyama '875 teach the system of claim 2, further comprising: a data hub that includes said first and second ports (page 2, paragraph 23, line 8).

As to **claim 4,** Yokoyama '875 teach the system of claim 3, wherein said data hub comprises at least one switch connectable to alternately inhibit data pass-through at said first and second ports (page 2, paragraph 23, line 12).

As to **claim 5,** Yokoyama '875 teach the system of claim 2, wherein said processor and said first and second ports are housed in an application module (see fig. 1, device 50 having first port 3, second port 5).

As to **claim 6,** Yokoyama '875 teach the system of claim 1, further comprising: a controller module in communication with said processor through said first port (see fig.1, device 50 connected with device 40 thru first port 3).

As to **claim 7,** Yokoyama '875 teach the system of claim 6, further comprising: an application module in communication with said processor through said second port (see fig. 1, port 3 of device 60 connected to CPU 9 of device 50).

As to **claim 9,** Yokoyama '875 teach the system of claim 6, wherein said processor is programmed to transmit an ID request to said controller module (see fig. 2, configuration of control command).

As to **claim 10,** Yokoyama '875 teach the system of claim 9, wherein said controller module is programmed to transmit an application ID to said processor in response to said ID request (see fig. 2, configuration of Ack).

As to **claim 11,** Yokoyama '875 teach the system of claim 10, wherein said controller module is programmed to append said application ID onto other data transmitted to said processor (see fig. 2, configuration of Ack).

Referring to **claim 12,** Yokoyama '875 teach, as claimed, a method for coordinating data flow (i.e.-communication method of electronic apparatus, page 1, paragraph 2, lines 1-2), comprising: transmitting a first handshake signal from a processor through a first data port (i.e.-processor provides first control signal thru output terminal, page 1, paragraph 6, lines 20-22) to test for the presence of a controller at said first port; and inhibiting data pass-through at a second data port in connection with said first handshake signal transmission (i.e.-determines if acknowledgement signal – second control signal – has been input in response to the first control signal and controls the change-over switch, page 1, paragraph 6, lines 22-26).

As to **claim 13,** Yokoyama '875 teach the method of claim 12, further comprising: transmitting a second handshake signal through said second data port (i.e.-the electronic apparatus provides a new control signal, page 1, paragraph 9, lines 6-8) to test for the presence of a controller at said second data port (i.e.-outputting the new control signal to connect with the succeeding electronic apparatus, page 1, paragraph 9, lines 10-11) if said first handshake signal does not result in

communication with a controller at said first port; and inhibiting data pass-through at said first data port in connection with the transmission of said second handshake signal.

As to **claim 14,** Yokoyama '875 teach the method of claim 13, wherein said inhibiting of data pass-through at said first and second ports further comprises switching at least one switch in a hub that comprises said first and second ports (see fig. 1, device 50 with switch 11 and port 5a and 5b).

As to **claim 15,** Yokoyama '875 teaches the method of claim 13, further comprising: transmitting an ID request from said processor to a controller found to be present at one of said ports (see fig. 2, configuration of control command).

As to **claim 16,** Yokoyama '875 teaches the method of claim 15, further comprising: transmitting an application ID to said processor from said controller in response to said ID request (see fig. 2, configuration of ACK – response command).

As to **claim 17,** Yokoyama '875 teaches the method of claim 16, further comprising: appending said application ID onto data retrieved by said controller module from a memory (i.e.-appending ID number of transmission destinations apparatus, see fig. 2, the ACK frame).

Referring to **claim 22,** Yokoyama '875 teach, as claimed, a system configuration method (i.e.-communication method of electronic apparatus, page 1, paragraph 2, lines 1-2) comprising: testing for the presence of a controller (i.e.-an electronic apparatus 60 sends control command signal to a preceding apparatus 50, page 1, paragraph 7, lines 5-8 and see fig. 1) through a first port using a processor (see fig. 1, element 50 connected with element 60 thru first port 3a and 3b of CPU 9); and testing for the presence of said controller through a second port (see fig. 1, second port of element 60's 5b and 5a connected to element 70) if said controller is not found through said first port (page 1, paragraph 6, lines 20-26).

As to **claim 23**, Yokoyama '875 teaches the method of claim 22, further comprising: sending an ID request to said controller (see fig. 2, configuration of control command).

As to **claim 24**, Yokoyama '875 inherently teaches the method of claim 23, further comprising: sending an application ID to said processor from said controller; wherein said application ID represents an electronic address for said processor (i.e.-appending ID number of transmission destinations apparatus, see fig. 2, the ACK frame).

As to **claim 25,** Yokoyama '875 inherently teach the method of claim 22, further comprising: inhibiting data pass-through at said second port while testing through said first port (i.e.-the change-over switch connects one port at a time either connected to 5b or 5a, see fig. 1)

As to **claim 26**, Yokoyama '875 teach the method of claim 22, sending an acknowledgement from said controller to said processor (see fig. 2, configuration of ACK – response command).

Claims 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Misunas et al. (US 4,174,536), herein after referred as Misunas et al. '536.

Referring to **claim 18,** Misunas et al. '536 teach, as claimed, a data management system (i.e.-means for transfer of information, column 1, lines 1-4) comprising: a plurality of data ports coupled to a processor (see fig. 1, micro-processor 20 coupled to port 0-4); an application module housing said processor (i.e.-switch comprising a microprocessor , column 2, lines 49-50); wherein said processor is programmed to test for the presence of a controller alternately through each of said plurality of data ports (i.e.-a control program is contained in ROM and executed by CPU to examine all input ports in sequence for data, column 9, lines 19-21 and lines 48-49)

As to **claim 19**, Misunas et al. '536 teach the data management system of claim 18, further comprising: a data hub that comprises said plurality of data ports (see fig. 1, random access memory 24 connected to port 0 to port 4).

As to **claim 20**, Misunas et al. '536 teach the data management system of claim 18, further comprising: a controller in communication with said processor through one of said plurality of data ports (column 2, lines 55-59).

As to **claim 21**, Misunas et al. '536 inherently teach the data management system of claim 20, wherein said controller is further programmed to send an application ID to said processor in response to receiving a transmission from said processor (column 5, lines 27-30).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoyama '875 in view of Massimiliano Brocchini (*EasyDisk Removable USB Hard Disk Review*), herein after referred to as Brocchini.

As to **claim 8**, Yokoyama '875 teach the system of claim 7 as discussed above. However, Yokoyama <u>does not teach</u> the limitations of claim 8 wherein a plurality of memories detachably connected to said controller module.

On the other hand, Brocchini teaches the limitations of claim 8, a memory that can detachably be connected to controller module (i.e.-EasyDisk portable USB hard drive, page 1, paragraph 1, lines 8-9).

Yokoyama '875 and Brocchini are analogous art because both are from the same problem saving area, storing/transferring of data to a portable medium.

Thus, at the time of the invention, it would have been obvious to one of ordinary skill in the art, to modify the electronics apparatus of Yokoyama '875 in order to detachably connect plurality of memories to the controller module, as taught by Brocchini, using removable EasyDisk portable USB hard drive. The motivation for doing so would have been, the easy portability, its size, lightness, low cost and the ability of transferring data from a PC to another in an easy and comfortable way (page 2, the conclusions section).

Therefore, it would have been obvious to combine Brocchini with Yokoyama '875 to obtain the invention as specified in the instant claim.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lucas et al. (US 6,505,087) teach modular system and architecture for device control;
- Beard et al. (US 5,991,830) teach coupling of multiple peripheral devices to a single port of a computer;
- Goossen et al. (US 6,678,747) teach scalable data collection and computing apparatus; and
- Dayley (US 6,661,648) teach modular processor based apparatus.
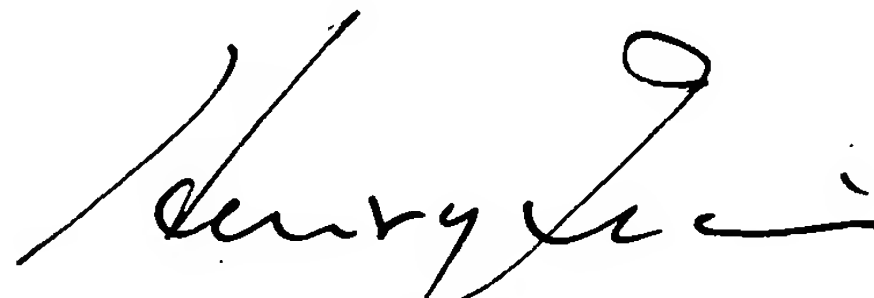
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elias Mamo whose telephone number is (571) 270-1726 and fax number (571) 270-2726. The examiner can normally be reached on Monday thru Thursday from 9AM to 5PM EST. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Henry Tsai, can be reached on 571-272-4176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EM

HENRY TSAI
SUPERVISORY PATENT EXAMINER

7/23/07